

DANNY D. BRACE, JR., #114466
LAW OFFICE OF DANNY D. BRACE, JR.
901 H Street, Suite 500
Sacramento, CA 95814
(916) 552-6660
Fax: (916) 447-0592

Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No.: 2:12 CR 00369 JAM
)	2:99 CR 00401 JAM
)	
Plaintiff,)	STIPULATION REGARDING
)	EXCLUDABLE TIME PERIODS UNDER
vs.)	SPEEDY TRIAL ACT FINDINGS AND
)	ORDER
EDWIN W. BALERO,)	
)	
Defendant)	

Plaintiff, United States of America, by and through its counsel of record, and the defendant, EDWIN W. BALERO, by and through his counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on July 9, 2013.
2. By this stipulation, the defendant now moves to continue the status conference until August 20, 2013 at 9:45 a.m., and to exclude time between July 9, 2013 and August 20, 2013 under Local Code T4. Plaintiff does not oppose this request.
3. The parties agree and stipulate, and request that the Court find the following:
 - a. Counsel for the defendant desires additional time to consult with his client regarding a resolution to this case.

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2 b. Counsel for the defendants believe that failure to grant the above-requested
3 continuance would deny him the reasonable time necessary for effective preparation, taking into
4 account the exercise of due diligence.

5 c. The government does not object to the continuance.

6 d. Based on the above-stated findings, the ends of justice served by continuing the
7 case as requested outweigh the interest of the public and the defendants in a trial within the
8 original date prescribed by the Speedy Trial Act.

9 e. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
10 et seq., within which trial must commence, the time period of July 9, 2013, to August 20, 2013,
11 at 9:15 a.m. inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
12 Code T4] because it results from a continuance granted by the Court at defendant's request on
13 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
14 best interest of the public and the defendants in a speedy trial.
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16 4. Nothing in this stipulation and order shall preclude a finding that other
17 provisions of the Speedy Trial Act dictate that additional time periods are excludable from the
18 period within which a trial must commence.
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21 Respectfully submitted,

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23 Date: 7-8-13

24 By: /s/ Danny D. Brace, Jr.,
DANNY D. BRACE, JR.,
Attorney for
Edwin Balero
25

1 Date: 7-8-13

By: /s/ Michael McCoy
Authorized to sign for Mr. McCoy
On July 8, 2013
Michael McCoy
Assistant U.S. Attorney

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5 **IT IS SO ORDERED:**

6 **Dated: 7/8/2013**

7 /s/ John A. Mendez
8 HON. JOHN A. MENDEZ
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